

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

IRA JOE MIMS

CIVIL ACTION NO. 06-1853-P

VERSUS

JUDGE WALTER

WARDEN VENETIA MICHAEL

MAGISTRATE JUDGE HORNSBY

MEMORANDUM ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has previously filed an application for writ of habeas corpus attacking the convictions challenged herein. The previous application was denied on the merits on October 25, 2001 (01-CV-750).

Before Petitioner can proceed with the instant application, he must move in the United States Court of Appeals for the Fifth Circuit for an order authorizing the district court to consider the application. 28 U.S.C. §2244(b)(3).

Accordingly; **IT IS HEREBY ORDERED** that this action is stayed for a period of sixty (60) days. Petitioner's failure to obtain authorization within that time from the United States Court of Appeals for the Fifth Circuit to proceed with this action will result in this petition being stricken from the record.

THUS DONE AND SIGNED at Shreveport, Louisiana, this 12th day of December, 2006.



MARK L. HORNSBY
UNITED STATES MAGISTRATE JUDGE